

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Application of Verizon New Jersey Inc.	)	WC Docket No. 13-150
And Verizon New York Inc.	)	Comp. Pol. File No. 1115
To Discontinue Domestic	)	
Telecommunications Service	)	
	)	
	)	
	)	
	)	

**Comments of  
Communications Workers of America**

Debbie Goldman  
George Kohl  
501 Third St. N.W.  
Washington, D.C. 20001  
(202) 434-1194 (phone)  
(202) 434-1201 (fax)  
[dgoldman@cwa-union.org](mailto:dgoldman@cwa-union.org)

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## **Executive Summary**

Our nation is in the midst of a communications technology transition, one that will take place over a number of years, as we move from circuit-switched wireline networks to wired and wireless networks delivered through IP switches. As we move forward, the Commission must make sure that even as communications technologies may change, the fundamental goals of communications policy remain the same: to ensure that all Americans, regardless of income or geography, have access to affordable, reliable, high quality voice and broadband services; to incent investment in job-creating high-speed broadband networks; to promote public safety; and to protect consumers.

It is within that framework that the Commission should consider Verizon's application to discontinue landline service and substitute a fixed wireless service called Voice Link on Fire Island in New York and three New Jersey barrier islands. The evidence shows that Voice Link fails the test. Voice Link represents a step backwards in communications services. It will result in unreasonable consumer harm. Voice Link does not support data services such as DSL, dial-up Internet, collect calls, calling cards, medical alert, security alarm services, DVRs, fax machines, third-party long-distance services, and credit card machines, and it is incompatible with Video Relay services. The issue of consumer harm is not hypothetical. Already, the New York Attorney General, AARP, 134 local and state elected officials from 68 municipalities in New York State, 18 public safety officials, and 424 Fire Island residents and small business owners have submitted detailed comments to the New York Public Service Commission citing specific examples of consumer hardship, the lack of availability and adequacy of alternative services, and

increased charges for alternative services that they have experienced as a result of Verizon's decision to replace landline service with Voice Link.

The Commission in its current *Technology Trials* proceeding proposes to work with carriers to conduct real-world technology pilots designed to collect data to inform policymakers on the best ways to protect consumers and incent investment in high-speed networks. One of the proposed trials would focus on the wireline to wireless transition. Verizon has not waited for these trials, but instead has decided to move ahead without any regulatory oversight to substitute Voice Link's fixed wireless service on these barrier islands rather than repair the copper plant.

The Commission should deny "automatic" grant of the Verizon application. The Commission should treat Verizon's experiment with Voice Link on Fire Island and the New Jersey barrier islands as a "technology trial." The Commission should require Verizon to resubmit its Application with a comprehensive plan to address the unreasonable harm to consumers that results from the Voice Link substitution. The plan should explain 1) how Verizon will address service continuity during a power outage; 2) how Verizon will provide service to customers who use Internet-connected medical monitors and Video Relay Service; 3) how Verizon will provide service to community anchor institutions including schools, libraries, medical centers, and first responders; 4) how consumers will connect to the Internet at comparable cost and quality to the DSL service that is no longer available with Voice Link; 5) how Verizon will address the diminished voice quality provided by Voice Link; 6) how Verizon will inform customers of Voice Link limitations; and 7) what data Verizon will collect to help the Commission evaluate Voice Link as an alternative to wireline communications services.

The Commission has previously denied “automatic” approval of discontinuance applications when public comment demonstrates the result will be unreasonable consumer harm, as is the case with Voice Link. Verizon’s failure to submit its discontinuance Application in a timely fashion should not provide an excuse to this Commission to grant the Application simply because “facts on the ground” in Fire Island and the New Jersey barrier islands have already taken place. Hurricane Sandy occurred on Oct. 29, 2012, more than seven months before Verizon filed its discontinuance application. Verizon should not be rewarded with automatic approval for such flagrant flaunting of Commission rules that require timely filing of discontinuance notices and petitions. Rather, the Commission should require Verizon to resubmit its application with a comprehensive plan that explains how it will address the serious shortcomings of Voice Link and collect the data that will help the Commission move forward during this period of technology transitions.

This proceeding provides the Commission with the opportunity to set the right precedent and make clear as the technology transition proceeds that it will not allow carriers to sidestep its plan to conduct structured trials, nor will it allow carriers to use weather-related damage to facilities as an excuse to move customers onto inferior networks. Rather, the Commission must insist that Verizon’s experiment with a fixed wireless service on Fire Island and the New Jersey barrier islands provide consumers with a service that is reasonably comparable to the service they received from the wireline network.

This proceeding is about much more than Fire Island and three islands in New Jersey. It can set the framework to establish Commission expectations for how all carriers must act to protect consumers during the transition to new technologies.

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## **I. Introduction**

The Communications Workers of America (“CWA”) submits these comments in response to the Commission’s Public Notice seeking comment on the Application of Verizon New York Inc. and Verizon New Jersey Inc. (collectively, “Verizon”) to discontinue wireline telecommunications service on parts of Fire Island in New York and portions of the barrier island communities of Bay Head, Brick, and Mantoloking in New Jersey and to substitute a fixed wireless service called Voice Link.<sup>1</sup> Verizon also seeks a waiver of the Commission’s timing requirements for discontinuance of service and notification of customers.<sup>2</sup>

CWA represents 700,000 workers in communications, media, airlines, manufacturing and public service. CWA represents more than 37,000 workers employed by Verizon Communications. CWA members have an interest in this proceeding both as workers in the industry and as consumers of telecommunications services.

The Commission should deny “automatic” grant of the Verizon Application. CWA supports the Motion to Remove the Application from Streamlined Authorization submitted by Public Knowledge.<sup>3</sup> The Commission should require Verizon to resubmit the Application with a comprehensive plan that explains 1) how Verizon will address service continuity during a power outage; 2) how Verizon will provide service to customers who use Internet-connected medical

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<sup>1</sup> FCC, *Public Notice*, “Comments Invited on Application of Verizon New Jersey Inc. and Verizon New York Inc. to Discontinue Domestic Telecommunications Services,” WC Docket No. 13-150, Comp. Pol. File No. 115, June 28, 2013 (“*Verizon Discontinuance Public Notice*”).

<sup>2</sup> Letter from Frederick E. Moacdieh, Executive Director – Federal Regulatory Affairs, Verizon, to Ms. Marlene H. Dortch, Secretary, Federal Communications Commission (filed June 7, 2013)(“Application”) at 1 n. 1.

<sup>3</sup> Public Knowledge, *Motion to Remove Application to Discontinue Domestic Telecommunications Services from Streamlined Authorization*, In the Matter of Section 63.71 Application of Verizon New Jersey Inc. and Verizon New York Inc. to Discontinue Domestic Telecommunications Services, WC Docket No. 13-150, Comp. Pol. File No.

monitors and Video Relay Service; 3) how Verizon will provide service to community anchor institutions including schools, libraries, medical centers, and first responders; 4) how consumers will connect to the Internet at comparable cost and quality to the DSL service that is no longer available with Voice Link; 5) how Verizon will address the diminished voice quality provided by Voice Link; 6) how Verizon will inform customers of Voice Link limitations; and 7) what data Verizon will collect to help the Commission evaluate Voice Link as an alternative to wireline communications services.

The discontinuance of landline service and substitution of Voice Link will lead to significant hardship for the residents and businesses on Fire Island and the New Jersey barrier islands. While there may be circumstances unique to storm-ravaged Fire Island and the New Jersey barrier islands, the issues raised by Verizon's Application implicate larger questions related to the transition from wireline to wireless networks and therefore are too important to be addressed in a 60-day automatic grant of the Application. Verizon has begun to offer or has plans to offer Voice Link as a substitute for wireline service throughout its local exchange footprint to certain categories of customers. The Commission has correctly chosen to address issues raised by the transition from wireline to wireless in technology transition trials, rather than in the context of a discontinuance petition.<sup>4</sup> The Commission must take the time needed to consider the unique circumstance on Fire Island and the New Jersey barrier islands, and to frame its decision in ways

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115, July 22, 2013 ("PK Motion").

<sup>4</sup> See FCC, *Public Notice*, "Technology Transitions Policy Task Force Seeks Comment on Potential Trials," WC Docket No. 13-5, May 10, 2013 (rel) (*Trials Public Notice*); FCC, *Public Notice*, Comment Cycle Established for Technology Transitions Policy Task Force Public Notice Regarding Potential Trials," WC Docket No. 13-5, May 24, 2013 (rel).

that do not have unintended consequences in the context of the significant policy questions the Commission seeks to address in the technology trials.

The Commission has previously denied automatic grant of service discontinuance requests when public comment indicates that the disruption would cause unreasonable harm to consumers. It is abundantly clear that Voice Link substitution results in unreasonable consumer harm. Voice Link is simply not a reasonable substitute for landline service.<sup>5</sup> It does not support data services such as DSL, dial-up Internet, collect calls, calling cards, medical alert, security alarm services, DVRs, fax machines, third-party long-distance services, and credit card machines, and it is incompatible with Video Relay services.<sup>6</sup> The issue of consumer harm is not hypothetical. Already, the New York Attorney General, AARP, 134 local and state elected officials from 68 municipalities in New York State, 18 public safety officials, and 424 Fire Island residents and small business owners have submitted detailed comments to the NY PSC citing specific examples of consumer hardship, the lack of availability and adequacy of alternative services, and increased charges for alternative services that they have experienced as a result of Verizon's decision to replace landline service with Voice Link.<sup>7</sup>

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<sup>5</sup> Voice Link is a fixed wireless voice service that uses regular home telephone handsets and existing wiring and jacks in the customers' home. Customers use a small device that can plug into an existing telephone jack. Calls are transmitted using wireless technology rather than wireline facilities. *See Verizon Discontinuance Public Notice*, 3-5.

<sup>6</sup> *Verizon Discontinuance Public Notice*, 3.

<sup>7</sup> Comments in the New York Public Service Commission proceeding can be found on the New York Public Service Commission website (<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=13-C-0197&submit=Search+by+Case+Number#>). *See* Comments of Eric T. Schneiderman, Attorney General of the State of New York, Tariff filing by Verizon New York, Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer wireless services as its sole offering in the area, Case 13-C-0197, July 2, 2013, ("NY Attorney General Comments") (<http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={25BC0202-A4AD-4675-9C62-9DE59A294341}>); Comments of AARP, Tariff filing by Verizon New York, Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer wireless services as its sole offering in the area, Case 13-C-0197, July 2, 2013 ("AARP Comments") ; First Responders Letter, Tariff filing by Verizon New York, Inc. to introduce language under which Verizon could discontinue its current wireline



The NY PSC is currently conducting an extensive investigation of the Voice Link experiment on Fire Island, and is evaluating Verizon's proposal to substitute Voice Link for wireline service elsewhere in New York state.<sup>8</sup> The NY PSC has issued three sets of comprehensive data requests to Verizon, extended the public comment deadline to Sept. 13, and required a report from Verizon on the quality and reliability of Voice Link due Nov. 1.<sup>9</sup> This Commission should not allow an "automatic" grant of the Verizon Application prior to the conclusion of the NY PSC proceeding. Allowing an "automatic" grant of the Verizon petition, which would take effect on August 27, would foreclose this Commission's opportunity to benefit from the full record developed in the New York proceeding regarding customer experience with Voice Link.

Verizon's failure to submit its discontinuance Application in a timely fashion should not provide an excuse to this Commission to grant the Application simply because "facts on the ground" in Fire Island and the New Jersey barrier islands have already taken place. Hurricane Sandy occurred on Oct. 29, 2012, yet Verizon did not file its discontinuance Application until more than seven months later on June 7, 2013.<sup>10</sup> Certainly, Verizon knew before that time that it

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service offerings in a specified area and instead offer wireless services as its sole offering in the area, Case 13-C-0197, posted on website July 2, 2013 ("First Responder Letter"); State and Municipal Leaders Letter, Tariff filing by Verizon New York, Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer wireless services as its sole offering in the area, Case 13-C-0197, posted on website July 9, 2013 ("State and Municipal Leaders Letter"), Fair Harbor Fire Department Comments, Tariff filing by Verizon New York, Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer wireless services as its sole offering in the area, Case 13-C-0197, posted on website June 1, 2013 ("Fair Harbor Fire Department Comments").

<sup>8</sup> New York Public Service Commission, Order Conditionally Approving Tariff Amendments in Part, Revising in Part, and Directing Further Comments, Case 13-C-0197, May 16, 2013 ("NYPSC May Order").

<sup>9</sup> See State of New York Public Service Commission, *PSC Extends Comment Period on Voice Link*, July 9, 2013; N9; See also NYPSC May Order; New York Public Service Commission Comments, *In the Matter of Technology Transitions Policy Task Force Request for Comment on Potential Trials*, GN Docket No. 13-5, July 7, 2013, 2; *PK Motion*, 1-2, 4.

<sup>10</sup> Verizon Application.

did not plan to repair the damaged wireline infrastructure and would offer Voice Link connections instead. As early as November 30, 2012, Verizon notified CWA leaders in New York that it planned to “offer a device(s) utilizing wireless technology to Verizon New York Inc. (the “Company”) voice-only copper network residential customers who...are located in an area...where there is major storm damage to outside plant facilities (such as with flooding)...”<sup>11</sup> (See Attachment A.) In March 2013, the press began reporting about Verizon’s plans to substitute Voice Link for wireline service on Fire Island.<sup>12</sup> Verizon filed its amended tariff with the NY PSC regarding the Voice Link substitution on May 3, 2013.<sup>13</sup> Yet, Verizon did not file its instant Application with this Commission until *after* Public Knowledge raised the issue with Commission staff and upon what appears to be notification by Commission staff that Verizon would have to file a Section 214 discontinuance Application, which it finally did on June 7.<sup>14</sup>

There is no emergency here. It is entirely due to Verizon’s flaunting of the Commission’s rules that the Commission now faces a situation in which it is being asked to approve a petition to discontinue service that has in fact already begun. The Commission should not reward Verizon with an automatic grant of approval nor with a waiver of the timing provisions. The Commission’s rules define a reasonable time for the restoration of service or the establishment of comparable service after a discontinuance, reduction, or impairment of service occasioned by conditions beyond the control of a service provider as no more than 60 days in most cases.

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<sup>11</sup> Letter from Guy R. Sorrentino, Director, Labor Relations, Verizon, to Ms. Gladys Finnigan, CWA Downstate Area Director – District 1, Nov. 30, 2012. Attached as Attachment A

<sup>12</sup> Candice Ruud, “Verizon to Swap Landlines for Wireless on Fire I,” *Newsday*, March 13, 2013 (available at <http://www.newsday.com/long-island/towns/verizon-to-swap-landlines-for-wireless-on-fire-i-1.4810152>).

<sup>13</sup> *NYPSC May Order*, 1.

<sup>14</sup> See Letter from Harold Feld, Senior V.P., Public Knowledge to Ms. Marlene H. Dortch, Secretary, Federal Communications Commission, Comment Sought on the Technological Transition of the Nation’s Communications Infrastructure, GN Docket No. 12-353 and Technology Transitions Policy Task Force, GN Docket No9. 13-5, June

Section 63.63(a) states that information requests for emergency discontinuance authority in most cases shall be made by filing not later than 65 days after the occurrence of the conditions which occasioned the discontinuance, reduction or impairment.<sup>15</sup> Clearly, Verizon did not attempt to restore service to Fire Island or the New Jersey barrier islands customers within the 60-65 day time frame. Although many of the residents of those islands are summer-only tenants, each of the islands has permanent residents and businesses that were out of service well beyond the 60-65 day time frame. The so-called “emergency” – the need to restore some limited type of voice service before the summer months – is entirely of Verizon’s making. In order to serve notice that the Commission will not tolerate such flagrant violations of its rules, the Commission should cite Verizon for a violation of its timing rules and take action to the full extent possible. Most important, the Commission should deny an “automatic” grant of the Application.

## **II. The Verizon Discontinuance Application Does Not Meet the Commission’s Legal Standard**

As the Commission notes in the *Verizon Discontinuance Public Notice*, the Commission has discretion in determining whether to grant a carrier authority to discontinue service.<sup>16</sup> The Commission can delay grant of a discontinuance authorization if it believes an unreasonable degree of customer hardship would result.<sup>17</sup> In its review, the Commission considers, among other factors 1) whether customers or other end users are able to receive the service or a reasonable substitute from another carrier; 2) whether the public convenience and necessity is

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6, 2013.

<sup>15</sup> See *Verizon Discontinuance Public Notice*, 2 citing 47 C.F.R. Sec. 63.60(a),(b),(c).

<sup>16</sup> See *Verizon Discontinuance Public Notice*, citing *Verizon Telephone Companies, Section 63.71 Application to Discontinue expanded Interconnection Service Through Physical Collocation*, WC Docket No. 02-237, Order, 18 FCC Rcd 22727, 2004 (“*Verizon Expanded Interconnection Discontinuance Application*”).

<sup>17</sup> See *Verizon Discontinuance Public Notice*, 4 citing *AT&T Application to Discontinue Interstate Sent-Paid Coin Service Not Automatically Granted*, Public Notice, NDS File No. W-P-D-497, 16 FCC Rcd 14935, 2001 (“*AT&T*”).

otherwise adversely affected; 3) the need for the service; 4) the need for the particular facilities; 5) the existence, availability, and adequacy of alternatives; and 5) increased charges for alternative services. As we discuss below, Verizon's Application fails on all these accounts.<sup>18</sup>

The Commission has found that the public interest is not served by an automatic grant of a discontinuance petition when public commentators have raised concerns about the adequacy of the alternative service. As the Commission explained in *Application of Verizon Long Distance LLC to Discontinue Domestic Telecommunications Not Automatically Granted*: “[w]here comments on a discontinuance application allege that the service has no reasonable substitute or that either present or future public convenience and necessity will be adversely affected, the Commission will scrutinize the discontinuance application, consistent with its statutory obligations.” Because the record in that case raised concerns regarding the potential loss or disruption of service to customers “in a manner that may not provide an adequate opportunity for customers to seek alternative service in accordance with the Commission’s rules,” the Commission found that the public interest would not be served by the automatic grant of Verizon’s application. The Commission cited comments received in opposition to the discontinuance as a basis for not granting the application automatically. In its Order, the Commission explained that the primary purpose of the discontinuance requirement is to reduce harm to consumers. The Commission stated that “we have retained the right to delay grant of a discontinuance authorization if we believe an unreasonable degree of customer hardship would result.”<sup>19</sup>

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*Coin Service Discontinuance Public Notice*”).

<sup>18</sup> *Verizon Discontinuance Public Notice*, 4.

<sup>19</sup> See *Applications of Verizon Long Distance LLC to Discontinue Domestic Telecommunications Services Not*

In several instances, the Commission required applicants to revise their discontinuance Application to reduce consumer harm. In *Verizon Telephone Companies, Section 63.71 Application to Discontinue Expanded Interconnection Service Through Physical Collocation*, the Commission denied an automatic grant of the Application and required Verizon to revise its Application in response to public comments.<sup>20</sup> In *AT&T Application to Discontinue Interstate Sent-Paid Coin Service*, the Commission denied approving the Application automatically, and required AT&T to resubmit the Application with a transition plan to minimize the impact on customers.<sup>21</sup>

In this instant proceeding, the evidence is abundantly clear that Voice Link does not serve as a reasonable substitute for landline service; there are no alternative services that provide comparable service; alternative services, where they are available, are more expensive; and consumers have already and will continue to experience considerable hardship from the discontinuance of Voice Link service. Therefore, the Commission should follow precedent and deny “automatic” grant of the Application and require Verizon to resubmit the Application with a comprehensive plan to address the unreasonable consumer harm caused by the substitution of Voice Link for wireline service.

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*Automatically Granted*, Public Notice, WC Docket No. 10-116, 25 FCC Rcd 8197, 2010; *In the Matter of Section 63.71 Application of Verizon Long Distance LLC for Authority to Discontinue Domestic Telecommunications Services*, Order, WC Docket No. 10-116, 25 FCC Rcd 8447, 2010.

<sup>20</sup> *Verizon Expanded Interconnection Discontinuance Application*, 4 fn 15.

<sup>21</sup> *AT&T Coin Service Discontinuance Public Notice*.

### **III. Voice Link is a Significant Step Backwards And Results in Unreasonable Harm to Consumers**

Voice Link is a fixed wireless service that uses regular home telephone handsets and existing wiring and jacks within the customer's home.<sup>22</sup> Although Verizon claims that Voice Link provides voice service just like traditional landline service, in fact Voice Link is not compatible with fax machines, medical alert, home security monitoring systems, and credit card machines.<sup>23</sup> Voice Link does not enable data transmission, so a Voice Link customer cannot get either dial-up or DSL Internet access, nor can a deaf or hard-of-hearing person use the highly popular video relay service with a Voice Link service. Unlike landline service, Voice Link has no back-up power, and in times of power outages, wireless service is susceptible to cell tower power outages, congestion, and batteries running low. Voice Link does not allow customers to accept collect calls, calls to the operator by dialing "O," does not permit customers to make international calls, does not support "dial around," does not support specialized exchanges, and DVRs. Voice Link does not offer the back-up power of traditional landline service. In terms of E911, the customer's location is programmed into the unit. But because the unit is completely portable, it is highly likely that a customer may move the unit to another location, although the E911 center would identify calls from the unit as the customer's original location.<sup>24</sup> (*See Attachment B, "CWA District 1 Comments to the Public Service Commission in New York on Voice Link."*)

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<sup>22</sup> *See See Verizon Discontinuance Public Notice*, 3-5.

<sup>23</sup> *See Verizon Discontinuance Public Notice*, 3. *See also NYPSC May Order*, 6.

<sup>24</sup> *See Verizon Discontinuance Public Notice*, 3. *See also* Verizon New York, Inc. "Voice Link Terms of Service," filed May 20, 2013, Verizon Voice Link Tariff Proceeding, Case 13-C-0197. Voice Link filed a revision of this document on June 10, 2013.

**A. Customers Real-World Experience with Voice Link Leads to Unreasonable Harm**

Because Verizon implemented its landline discontinuance plan on Fire Island and the New Jersey barrier islands *before* it received approval from this Commission, we have real-world evidence that Voice Link represents a step backwards for consumers and a retreat from the Commission’s statutory obligations and policy goals to ensure universal, affordable communications and deployment of broadband services to all Americans. The public comments submitted to the NY PSC make clear that Voice Link has already resulted in an unreasonable degree of customer hardship. In their own words, Fire Island residents have told NY regulators that Voice Link voice quality is not good (“it crackles”), the Verizon 4G-LTE wireless “hotspot” Internet alternative is unreliable and expensive (“the hotspot is awful”), the cost of phone and Internet service has gone up (“our cost for phone and Internet service has more than tripled”), does not allow elderly residents to use their Internet-connected health monitors and do their monthly pacemaker checks, hurts small business owners and home-based business operations who now have no reliable Internet service, and raises concerns among first responders and residents that they will not be able to reach emergency services during a power outage. We excerpt some of the comments below, selected from among the 424 public comments submitted to the NY PSC, and we include an expanded selection of public comments as Attachment C. The full set of comments can be viewed on the New York Public Service Commission website. All the comments below are in the words of the cited commentator as submitted to the NY PSC.<sup>25</sup>

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<sup>25</sup> The 424 public comments are available on the New York Public Service Commission website, Case 13-C-0197, Tariff filing by Verizon New York Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer wireless services as its sole offering in the area (available at <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=13-C->

*Voice Link Delivers Poor Voice Quality, Intermittent Internet Service from Verizon 4G LTE Hotspot*

- We have service on Fire Island (Saltaire) and due to Super Storm Sandy we have been required to change our hard line to Verizon Voice Link and to Hotspot for internet. The Voice Link is marginal and the hotspot is awful. Verizon would prefer not to restore our hard lines but so far the service is spotty and much more expensive than the phone/internet service we had. *Joel Dictrow, 7/18/13*
- I had Voice Link installed in my home. I am paying the same amount as I did when I had a land line for a much poorer quality of service. It crackles and the reception makes it difficult to understand what the speaker is saying. It sounds like a poor quality cell phone... I was told by the installer that even if there was a simple fix to the land line (mine was a crossed wire), they were told NOT to make any repairs. All customers who could be were to be shifted to Voice Link. *Roros, 7/17/13*
- When the service was announced, I signed up at once, glad to have any phone after the destruction of Sandy...After 2 months of usage, I am sorry to say that VoiceLink is a failure! By any measure, it does not come close to replacing our old LandLine service... The most basic measure of any phone service is Clarity and on this measure, VoiceLink is a non-starter. Imagine all the garbled messages of your personal cell phone and multiply by a factor of 20! That is VoiceLink... Imagine not being able to hear or understand emergency calls! Imagine leaving important messages on an answering machine that you think are clear, but are, in reality, totally garbled on the receiver side! This is VoiceLink! If the garbled messages are hard for us to decipher, imagine the plight of those with less than perfect hearing! VoiceLink has all the problems of a cell phone but with none of its virtues. Very often, calls do not go through on the first dial and must be redialed repeatedly. Sometimes calls are connected to a Verizon message that intones, "Your call cannot be completed." *Ellen Anderson 7/2/2013*
- The sound quality is inferior. The sound quality is that of a cell phone. There have been times when we had to cradle and re-cradle the receiver several times before we heard a dial tone. We use a wired telephone not a portable. We have been unable to make or receive international calls. When someone calls while we are on the phone they get a message saying that "the cellular customer is not available." If Voicelink is a cellular phone service then Verizon did not explain that...We have found the internet service on Verizon wireless to be unstable and lose the signal often. *Howard Epstein, 7/1/2013*

*No DSL Service, 4G Wireless Substitute is Unreliable and More Expensive*

- As seniors living on Western Fire Island we must voice our opposition to Verizon's plan to substitute "over the air" phone service for reliable wired phone and Internet service. We rely on phone service for emergency response. In the short time that we have had



Voice Link we have had problems in rainy weather. The Jetpack internet service<sup>26</sup> that, with our limited mobility, we rely on to order medications, food and communicating with physicians is painfully slow and does not work at all on weekends. Also, our cost for phone and internet service has more than tripled. Please restore wired service. Thank you, *R. Bruce Minoff, 6/28/2013*

*Forced to switch to VoiceLink Despite Working Landline; no DSL, no "O" for Operator, no home security, no medical alerts, no fax*

- I am an elderly long tax payer /and Fire Island homeowner. I object to the decision by Verizon to cut off landline service to Fire Island. My DSL which was still working fine after Sandy was cut off in the spring 2013. I was forced to acquire the VoiceLink Service and after using it, I realize that does not provide: Dialing the operator, Direct line to 911, -Connection for home security systems, -Connection for patients with pacemakers and medical alert systems. *Greg Fletcher, 7/15/2013*
- Our copper lines were still working they just had static on the line and now even after the replacement of voice link the voice quality is still very bad and we are dropping calls. We no longer are able to use our, DSL, Fax machine, Order movies through the TV or use a phone activated alarm system. Now we have no access to the internet and have been unable to resolve any of these issues. *Kim Sitone-Harris, 7/2/2013*

*Unreliable emergency services, threatens health and safety*

- I have previously had a heart attack and do not want to rely solely on cellular service in case of an emergency. We need a hard line service provider on the Island. *Arthur Rhein, 7/8/2013*

*Cannot use medical monitors, billed for non-working DSL*

- They will not repair my landline, which my husband really needs, as he has a pacemaker which has to be monitored by a land line. They also refused to connect my DSL, even though they charged me the monthly fee right through the winter, when I questioned this, they said they would transfer me to the billing department, and I was promptly disconnected !!!!! I have a Real Estate office here in Fair Harbor, and I am getting SO many complaints about Verizon service, (or, NON service). *Jean Ufer, 7/8/2013*

*No DSL for Small Business Owner*

- We are year round residents on Fire Island and need a hard line to run our business and to monitor our property from The DSL line. After the storm, I temporarily had the Home Connect system and it worked poorly. Calls would ring for 30 plus times before I even knew they were coming through and we had no internet which is essential to run a business. Sometimes calls didn't even go through. VOICE LINK DOESNT WORK. *Barbara Heller, 7/6/2013*

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<sup>26</sup> This refers to Verizon's 4G LTE Mobile Hotspot Service.

### *Unreliable wireless connections*

- We are residents of Fair Harbor, Fire Island and have been severely impacted by Verizon's decision to abandon wired phone service here. Our options for alternate service are very limited since our home is on the south (ocean) side of the island. Cell service is extremely undependable. Some days we get reasonable service but many other days, especially weekends and holidays, we get virtually none. On these days we can't receive nor initiate cell calls from our house. Voicelink is not an option for this reason and this also makes it impossible for us to receive data and internet service. My wife and I also work from home. Verizon's actions have greatly impacted our earning ability because of our inability to connect on the internet. When we are here on Fire Island, we now have to shut down our business. *Stuart Mono, 7/3/2013*

### *Dangers for elderly – no medical alerts, erratic wireless service, isolation*

- As a NY resident with elderly (80+) parents, and an elderly (80+) aunt with health issues and Parkinson's Disease on Fire Island for the entire summer, I am concerned that the Voice Link system will not meet their needs in a time of emergency. Cell phone signals are notoriously erratic particularly in poor weather, and particularly on Fire Island; and I am concerned that this system is more likely to fail in the event of an emergency. In my elderly aunt's case, she will no longer be able to use her medical alert bracelet as it is dependent on a working landline. That she would be able to reach her cell phone after falling down seems unlikely. *Ken Rothchild, 7/2/2013*
- We are two residents of Wading River, L.I. N.Y. ages 85 and 86...We need Life Alert systems, our home alarm system and communication with the outside world, especially in times of weather disasters such as the recent Hurricane Sandy. During that storm, which caused electrical power outages, our cell phone also failed. Our landline made it possible for us to contact our son and daughter, as well as emergency sources, should it become necessary. Since we do not drive, having a landline made it possible to contact neighbors should we need food and help. There are many stresses which accompany aging. Losing touch with the outside world should not be another source of worry. *Phyllis and Herbert Hildebrand, 7/1/2013*
- As President pro tem of our community homeowners association, I've received calls from our most senior residents who report hearing that their land-line phones will soon become obsolete and non-functioning. Some are concerned about their monthly pace-maker checks that are done via telephone. Their doctors can't answer the question about the ongoing practice of this routine monitoring procedure and don't know how they could possibly make a trip to the distant cardiac specialty hospitals on Long Island, should that become necessary. *Sandy Adams, 7/1/2013*

### *Unreliable wireless networks during power outages*

- During hurricane Sandy I lost my power but was able to communicate with Lipa using my land line phone. My cell phone had no service. If I was limited to only wireless service I

would not have been able to notify my utility of the outage. If I had needed emergency service I could not have called for it... Copper lines can be expanded to meet the increase communication demands but if we all must go to wireless phones the system will be overpowered by the high traffic demands during an emergency even if Verizon manages to keep the cell towers up with backup generators, the limited radio spectrum will be overpowered by a drastic increase in demand. *Theodore E. Debowy, 6/28/2013*

The New York Attorney General Eric T. Schneiderman in comments to the NY PSC summed up Voice Link's limitations: "Replacing wireline networks with a wireless Voice Link service would deprive customers the ability to continue using wireline-dependent services such as fax machines, alarm systems, medical alert devices, and Digital Subscriber Line Internet access that serve as essential security and commercial needs as well as enable participation in 21<sup>st</sup> century digital communications on the Internet."<sup>27</sup>

**B. Voice Link Poses Significant Harm to Public Safety and Economic Development**

The Commission has the statutory obligation, codified in the preamble to the Communications Act of 1934, of "promoting safety of life and property through the use of wire and radio communication."<sup>28</sup> Yet, as the Fire Chief of Fire Harbor on Fire Island told the NY PSC, "[t]here is no doubt that the replacement of permanent land lines with a wireless service will compromise [communication of emergencies] and thus the safety and lives of our residents." The Fire Harbor Fire Chief added that "[d]uring area-wide emergencies overloading of wireless systems has caused lapses in or complete lack of services" and that "[d]uring major emergencies wireless service has been purposely suspended by wireless

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<sup>27</sup> Attorney General Comments, 1.

<sup>28</sup> 47 U.S.C. 251, Sec. 1.

providers.”<sup>29</sup> In a joint letter to the NY PSC, 17 first responders from Suffolk County raised their concerns with Voice Link service, citing issues of network reliability due to poor signal strength or congestion, particularly in times of power outages; incompatibility with consumers’ medical and security systems; and lack of reliability of customer location information if a consumer moves the Voice Link unit to another location. The first responders’ noted that Verizon’s “Revised Terms of Service” filed with the NY PSC on June 12, 2013 warned the customer that “using the Service may be subject to network congestion and/or reduced routing or processing speed.”<sup>30</sup> (*See* Attachment D for a copy of the First Responders Letter.)

In addition, 134 County Executives, Legislators, Mayors, Supervisors, Councilors, and other local elected officials who represent residents and businesses in 68 municipalities in New York State submitted comments to the NY PSC stating that “it is premature to embrace Voice Link as an adequate substitute for Verizon’s wireline service.” The elected officials emphasized that Voice Link “creates an incentive for Verizon to allow its copper network to deteriorate and for it to abandon its copper outside plant prematurely.” They also noted that “Voice Link does not support broadband access to the Internet, and, therefore, Verizon’s new service undermines municipalities’ efforts to spur economic development.” The elected officials also commented that “Voice Link does not support point-of-sale transactions, and

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<sup>29</sup> Letter from Scott Cherveney, Chief Fair Harbor Fire Department, to NY PSC, Tariff filing by Verizon New York Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer wireless services as its sole offering in the area, Case 13-C-0197, June 1, 2013.

<sup>30</sup> First Responders Letter.

therefore, would harm small businesses and municipalities' economy.”<sup>31</sup> (See Attachment E. for a copy of the State and Municipal Leaders' Letter)

**C. Voice Link Represents a Huge Step Backwards in Deployment of High-Speed Broadband Service**

In the National Broadband Plan, the Commission extolled the many ways in which high-speed broadband is essential to economic growth, job creation, improvements in education, health care, public safety, and civic participation.<sup>32</sup> The Commission has emphasized that competition between broadband providers drives innovation and investment, as well as lower prices and quality improvements. Because Voice Link does not support data services, the technology represents a step backwards from wireline service in promoting these critical goals. On Fire Island, consumers have no alternative for a wired connection to the Internet, and on the New Jersey barrier islands, customers now have only one choice, the cable company. This allows the monopoly wired broadband provider to raise prices and reduce service, knowing the customer has no alternative for comparable service. We have already cited numerous public comments from consumers and small business owners on Fire Island bemoaning the loss of reliable DSL connections to the Internet. With the only alternative for Internet connectivity an unreliable and more expensive wireless service, they are unable to use their health monitors, faxes, support their businesses, place orders online, search for information, and connect to family and friends.<sup>33</sup>

CWA has repeatedly urged this Commission to take action to incent private investment in expanded deployment of Verizon's high-speed FiOS network. During review of the Verizon/cable transaction, for example, CWA urged the Commission to require Verizon to

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<sup>31</sup> State and Municipal Leaders' Letter.

<sup>32</sup> Federal Communications Commission, *Connecting America: The National Broadband Plan*, 2010.

expand its deployment of its FiOS network to offset the considerable public interest harm associated with the reduced competition between Verizon and the leading cable companies that would result from their joint venture and joint marketing agreements.<sup>34</sup> Yet, the Commission failed to take this step.<sup>35</sup> Now the Commission is faced with one consequence of that failure. Verizon is moving forward with its plans to abandon its copper network *before* it has invested in alternative networks that deliver the reliable, affordable high-speed data connections that consumers, businesses, schools, libraries, first responders, government agencies, and medical facilities need in the 21<sup>st</sup> century. As a result, consumers and businesses have already experienced and will continue to experience unreasonable harm as they are left on the wrong side of the digital divide.

**D. Notwithstanding The Extreme Weather Conditions That Occurred During Superstorm Sandy, Much Of What Caused Verizon New York’s Copper Network Facilities To Fail Can Be Attributed To A Conscious Decision By The Company To Neglect The Maintenance Of Those Facilities.**

The damage done by Superstorm Sandy on the barrier islands was extraordinary in some locations, but it was not all unavoidable. This is true both as to above-ground wires and those buried in underground conduit. The New York Attorney General urged the NY PSC to investigate whether Verizon had taken reasonable measures to protect the integrity of its outside plant against extreme (although not unanticipated) weather conditions.<sup>36</sup> He noted: “Perhaps such storm hardening of Verizon’s wireline service would provide more reliable and better public

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<sup>33</sup> See Section IIIA.

<sup>34</sup> See CWA Comments, Applications of Cellco Partnership d/b/a Verizon Wireless, SpectrumCo, LLC, and Cox TMI Wireless, LLC, for Consent to Assign Wireless Licenses, WT Docket No. 12-4, July 10, 2012.

<sup>35</sup> In the Matter of of Cellco Partnership d/b/a Verizon Wireless, SpectrumCo, LLC, and Cox TMI Wireless, LLC, for Consent to Assign Wireless Licenses, *Memorandum and Order and Declaratory Ruling*, WT Docket No. 12-4, Aug. 23, 2012 (rel).

<sup>36</sup> Attorney General Letter, p. 3.

service than Voice Link.”<sup>37</sup>

First-hand accounts from customers on Fire Island attest to the fact that Verizon’s neglect of its facilities (and of its customers’ needs) contributed to the damage that it now blames solely on the storm. Susan Papa, a customer from Ocean View, wrote the NY PSC:

I must draw your attention to the numerous complaints, documented communications and expressed frustrations that existed LONG BEFORE Hurricane Sandy. Verizon had literally abandoned holes they dug for “repair” of land lines. We continually asked for these unsafe, pretty large holes to be closed or made safe. No action was taken. It seems to me that the plan to abandon copper wire was in place long before Hurricane Sandy. And I conclude that these abandoned holes and half-repairs exacerbated the damage to their copper wire infrastructure; they were trying to sneak out of town, and then were blessed with a storm of enormous proportions that seemingly excused them from acting responsibly.<sup>38</sup>

CWA’s technicians in New York State have confirmed that Verizon has not shown any interest in fortifying its outside plant against weather-related damage. To the contrary, Verizon has adopted policies that contribute to the deterioration of its facilities. Verizon has cut back significantly on preventive maintenance; moreover, it delays responding to repair calls from customers served over its copper wires and actively encourages employees to avoid fixing damaged facilities that they encounter in the course of other work.<sup>39</sup>

Damage to wire in underground conduits is also largely attributable to Verizon’s poor maintenance practices. A standard industry practice for protecting cables from water damage is to use air pressure to keep water from entering the surrounding conduit. However, according to a technician with many years’ experience, Verizon has made severe cuts in the work force responsible for monitoring and repairing problems with air pressurization. As a result, storm-

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<sup>37</sup> Id.

<sup>38</sup> Letter from Susan L. Papa, Ocean Beach, NY, posted to electronic case file 13-C-0197, June 10, 2013.

related damage to wires continues to increase. This is not a short-term problem. Rather, this has been going on for more than a decade.<sup>40</sup>

**IV. The Commission Should Treat the Voice Link Substitution on Fire Island and the New Jersey Barrier Islands as a “Technology Trial” and Require Verizon to Resubmit Its Application with a Comprehensive Plan to Address Voice Link’s Demonstrable Unreasonable Harm to Consumers**

The Commission has proposed real-world technology trials to collect the data it needs to inform policymaking to ensure network reliability, public safety, universal affordable quality service, consumer protections, and job-creating investments in high-speed broadband networks as providers and consumers transition to new communications networks.<sup>41</sup> The Commission is currently reviewing public comment in its *Technology Trials* proceeding regarding the structure of such trials and the data it should collect. One of the proposed technology trials would focus on the wireline to wireless transition. CWA supports Commission action to move forward with these trials, and believes that properly structured, such trials are the appropriate forum to determine under what conditions and within what policy framework the Commission would permit discontinuance of wireline networks.<sup>42</sup> The Commission should consider Verizon’s experiment with Voice Link on Fire Island and the New Jersey barrier islands as a “technology trial,” and should require Verizon to resubmit its Application with a comprehensive plan to address the unreasonable consumer harm to consumers from the Voice Link substitution.

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<sup>39</sup> See CWA Comments to NY PSC, 13-16. (See Attachment B).

<sup>40</sup> See CWA comments in NY PSC Case 10-C-0202 that was triggered by the Attorney General’s April 25, 2012 petition requesting modification of Verizon New York Inc.’s Service Quality Improvement Plan (SQIP). Improvement Plan (SQIP).

<sup>41</sup> FCC, *Public Notice*, “Technology Transitions Policy Task Force Seeks Comment on Potential Trials,” WC Docket No. 13-5, May 10, 2013 (rel) (*Trials Public Notice*); FCC, *Public Notice*, Comment Cycle Established for Technology Transitions Policy Task Force Public Notice Regarding Potential Trials,” WC Docket No. 13-5, May 24, 2013 (rel).

<sup>42</sup> CWA Comments, In the Matter of Technology Transitions Policy Task Force Seeks Comment on Potential Trials,



**A. Verizon's Voice Link Experiment Should be Subject to Consumer Protections and Data Collection Requirements**

AT&T has indicated that it intends to seek authority to serve some current wireline customers, mostly in rural areas, with a wireless-only product, and has urged the Commission to move forward expeditiously with its technology trials.<sup>43</sup> Verizon has not waited for these trials, but has decided to move ahead without any regulatory oversight to substitute Voice Link's fixed wireless service on Fire Island and the New Jersey barrier islands rather than repair the copper plant. Beyond these barrier islands, Verizon is now moving forward with plans to substitute Voice Link for wireline service throughout its local exchange footprint for voice-only customers who have either experienced multiple outside plant repair problems or live in neighborhoods with multiple outside plant repair problems.<sup>44</sup> The New York Public Service Commission (NY PSC) suspended Verizon's proposed tariff that would have allowed it to switch customers to Voice Link throughout New York State, pending a more thorough review. (The NY PSC did grant Verizon temporary authority to deploy Voice Link on western Fire Island.)<sup>45</sup> It now

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WC Docket No. 13-5, July 8, 2013.

<sup>43</sup> See *Trials Public Notice*, p. 8 (citing AT&T Wire Center Trials Petition, p.9, which explains that AT&T will offer wireless communications alternatives to customers living in particularly high-cost areas, including its Mobile Premises Services, which allows customers to make calls using ordinary wireline handsets connected to wireless base stations.)

<sup>44</sup> See Comments of the Communications Workers of America, Tariff filing by Verizon New York, Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer wireless services as its sole offering in the area, Case 13-C-0197, July 2, 2013 (available at <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={A6F1856B-B595-4178-8242-172FD3E32EEC}>); Comments of Eric T. Schneiderman, Attorney General of the State of New York, Tariff filing by Verizon New York, Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer wireless services as its sole offering in the area, Case 13-C-0197, July 2, 2013 (<http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={25BC0202-A4AD-4675-9C62-9DE59A294341}>); Comments of AARP, Tariff filing by Verizon New York, Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer wireless services as its sole offering in the area, Case 13-C-0197, July 2, 2013 (available at <https://docs.google.com/a/cwa-union.org/file/d/0B3IY8WmqQATedzJENXd1SzBEcW8/edit>) ("Verizon Voice Link Tariff Proceeding")

<sup>45</sup> See State of New York Public Service Commission, Notice Inviting Comments, Tariff filing by Verizon New York, Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a

appears that Verizon has ignored the NY PSC and is moving ahead with some Voice Link deployments beyond western Fire Island. The New York Attorney General's office submitted an emergency petition to the NY PSC for an order preventing Verizon from installing Voice Link service in violation of its order, yet Verizon continues to move forward with Voice Link installations.<sup>46</sup>

Verizon is moving forward with Voice Link deployments to voice-only customers with chronic repair problems and to customers in neighborhoods with chronic repair problems in other states in its local exchange footprint, including but not limited to Virginia, California, Texas, Florida, Maryland, Washington, D.C., and Pennsylvania.<sup>47</sup> Although Verizon claims that it will offer Voice Link only in areas in which it has not deployed FiOS, this policy appears to be

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specified area and instead offer wireless services as its sole offering in the area, Case 13-C-0197, May 21, 2013 (available at <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={6FF2EF26-F8D2-4ECF-B58C-4EE68AB5B971}>).

<sup>46</sup> See Emergency Petition of New York Attorney General Eric T. Schneiderman for an Order Preventing Verizon from Illegally Installing Voice Link Service in Violation of Its Tariff and the Commission's May 16, 2013 Order, Verizon Voice Link Tariff Proceeding, Case 13-c-0197, June 26, 2013; Reply of New York Attorney General Eric T. Schneiderman to Verizon's Response to the Attorney General's Emergency Petition, July 2, 2013; Letter from Chris Shelton, Vice President, CWA District 1 to Jeffrey Cohen, Verizon Voice Link Tariff Proceeding, Case 13-C-0197, June 26, 2013; Letter from Christopher Shelton, CWA Vice President District 1 to the Honorable Jeffrey Cohen, Acting Secretary, New York Public Service Commission, Letter from Chris Shelton, Vice President, CWA District 1 to Jeffrey Cohen, Verizon Voice Link Tariff Proceeding, Case 13-C-0197, July 12, 2013 (all these documents can be accessed at the New York Public Service Commission website at <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=13-C-0197&submit=Search+by+Case+Number>).

<sup>47</sup> CWA collective bargaining agreements require six-month advance notice of employment-impacting technology change. Verizon provided CWA local and regional leaders with notice of intent to "offer a device utilizing wireless technology...to voice-only copper network residential customers who have experienced multiple outside plant repair problems, are located in an area with a high incidence of outside plant repair problems or where there is major storm damage to outside plant facilities (such as with flooding), or are served by manufacturer-discontinued outside plant equipment that lacks adequate repair parts to ensure timely repairs and reliable service. This option may also be offered to new customers who are at increased risk of service problems, are served by manufacturer-discontinued outside plant equipment, are in locations that lack existing network infrastructure, or where there is major storm damage to outside plant facilities." Verizon Notice to CWA District 2/13 (covering Pennsylvania, Delaware, Maryland, Virginia, and Washington, D.C.) dated Nov. 30, 2012. CWA District 1 (New York) received a similar letter on Nov. 30, 2012. CWA District 6 was notified that Voice Link implementation in Texas would begin June 2013. CWA District 9 (California) was also notified about Voice Link implementation. The International Brotherhood of Electrical Workers (IBEW) represents Verizon workers in Florida, where Voice Link

changing. Verizon recently informed a CWA local leader in Pennsylvania that Verizon planned to offer Voice Link to customers in FiOS areas as well as non- FiOS areas. In New York, it appears that Verizon is now using Voice Link to meet the NY PSC's 24-hour deadline for telephone service repair to elderly or medically needy customers, and then gives them a 10-day commitment for restoration of landline service. Given that Voice Link does not support medical alerts, such practice appears to threaten public safety.

Wireless substitution raises key policy issues that the Commission must consider, issues that Verizon should be required to address on Fire Island and the New Jersey barrier islands. In the *Technology Trials Public Notice*, the Commission proposed requiring trial participants to describe how they plan to address service continuity in the event of a power outage. Verizon has provided no such plan in Fire Island and the New Jersey barrier islands. The Commission has also made clear in the *Technology Trials Public Notice* that it intends to collect extensive data on any wireline to wireless trial to inform policymaking. Verizon's discontinuance application contains no plan to collect data to assess the impact of Voice Link substitution on consumers. Nor has Verizon provided the Commission with any plan describing how it will protect consumers who rely on medical monitoring equipment, Video Relay Service, or other data services.

**B. The Commission Should Require Verizon to Resubmit its Application with a Comprehensive Plan to Mitigate Unreasonable Consumer Harm and Data Collection on Consumer Impact**

The Commission should require Verizon to resubmit its Application with specific plans to address the unreasonable consumer harm that results from the discontinuance of wireline service on Fire Island and the New Jersey barrier islands and to collect data on the impact of the Voice Link substitution on consumers, businesses, and communities. The Commission should require Verizon to resubmit the Application with a comprehensive plan that explains 1) how Verizon will address service continuity during a power outage; 2) how Verizon will provide service to customers who use Internet-connected medical monitors and Video Relay Service; 3) how Verizon will provide service to community anchor institutions including schools, libraries, medical centers, and first responders; 4) how consumers will connect to the Internet at comparable cost and quality to the DSL service that is no longer available with Voice Link; 5) how Verizon will address the diminished voice quality provided by Voice Link; 6) how Verizon will inform customers of Voice Link limitations (CWA believes Verizon customer representatives should be required to go over a checklist with customers before installation); and 7) what data Verizon will collect to help the Commission evaluate Voice Link as an alternative to wireline communications services. In this way, Verizon's experiment on Fire Island and the barrier islands of New Jersey can be structured as a technology trial consistent with the Commission's goals as articulated in the *Technology Trials Public Notice*.

**V. Conclusion**

Verizon's discontinuance of wireline service on Fire Island and the New Jersey barrier islands is just the tip of a much larger iceberg – Verizon's plan to drop copper landline service to

the one-third of the population in its local exchange footprint where it does not plan to deploy its fiber-to-the-home FiOS network.<sup>48</sup> The Commission has appropriately opened a *Technology Trials* proceeding seeking public comment on how to structure real-world pilots to inform policymaking to protect consumers during these technology transitions. Because Verizon chose to delay submitting its discontinuance Application until *after* it had begun Voice Link substitution on Fire Island and the New Jersey barrier islands, the Commission is now confronted with the challenge of how to undo the considerable harm that consumers are experiencing as a result of Verizon's action. It is not too late. The Commission should not grant "automatic" approval to the petition. Instead, the Commission should require Verizon to resubmit its Application with a comprehensive plan that explains how it will address the shortcomings of Voice Link service and collect the data that will help the Commission move forward during this period of technology transitions.

Respectfully Submitted,

A handwritten signature in black ink, reading "Debbie Goldman", written over a horizontal line.

Debbie Goldman  
Communications Workers of America

July 24, 2013

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<sup>48</sup> See Francis J. Shammo, Verizon Executive Vice President and Chief Financial Officer, Third Quarter 2011 Earnings Call, Oct. 21, 2011 ("We're not going to invest a lot of capital in the copper core network in those outlying areas.") and Lowell McAdam, Verizon CEO, Guggenheim Investor Conference, June 21, 2012 ("[t]he vision that I have is we are going into the copper plant areas and every place we have FiOS, we are going to kill the copper... And then in other areas that are more rural and more sparsely populated, we have got LTE built that will handle all of those services and so we are going to cut the copper off there. We are going to do it over wireless. So I am going to be really shrinking the amount of copper we have out there...")

## DECLARATION OF DEBBIE GOLDMAN

My name is Debbie Goldman. I am Telecommunications Policy Director with the Communications Workers of America. My business address is 501 Third Street N.W., Washington, D.C. 2001.

The Communications Workers of America is a labor organization representing 700,000 workers, half of whom work in the communications, media, airlines, manufacturing, and public service.

I am familiar with the contents of the foregoing Comments. The factual assertions made in the petition are true to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on July 24, 2013

A handwritten signature in cursive script that reads "Debbie Goldman". The signature is written in black ink and is positioned above a horizontal line.

Debbie Goldman